IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9984 OF 2004

Sagiruddin Israiluddin Mistry & Anr. ...Petitioners

VERSUS

The State of Maharashtra & Ors. ...Respondents

Mr. Y.S. Jahagridar with Ms. H. Mandlik instructed by
Mr. R.K. Mendadkar for the Petitioners

Mr. P.M. Patil, Assistant Government Pleader,
for Respondent Nos. 1 to 3, 6 and 7

Mr. R.V. Govilkar for Respondent No. 2.

CORAM: DALVEER BHANDARI, C.J., &
S.A. DBOBDE, J.
DATE: MARCH 3, 2005

P.C.:-

1. We have heard the learned counsel for the parties.

2. In the peculiar facts and circumstances of the case, we deem it appropriate to request the Divisional Caste Certificate Scrutiny Committee (for short, "the Committee") to decide this matter afresh after obtaining a report from the Vigilance

Squad, Directorate of Social Welfare, Maharashtra State, Pune.

3. It may be pertinent to mention that the vigilance report was earlier submitted by one Mr. Mahesh M. Joshi. In that report, he has not examined the Tahsildar, North Solapur, P.T. Bhandari.

4. In our considered opinion, it would be appropriate to examine both the Tahsildars referred to in the original report, re-consider the entire case and submit a report to this Court as expeditiously as possible, and in any event, within two months from the date of receipt of this order. The concerned parties are directed to appear before the Committee on 14th March, 2005 at 11 a.m.

5. No further directions are necessary. This Writ Petition is disposed of.

CHIEF **JUSTICE**

S.A. BOBDE, J.